IN THE

Supreme Court of the United States

OCTOBER TERM, 1945

No. 275

EDITH NYCUM, *Petitioner*

vs.

CITY OF ALTOONA, PENNSYLVANIA, *Respondent*

SECOND PETITION FOR A REHEARING

Petitioner has prepared this second petition for a rehearing; the same to be treated as the original, and to be attached to, and printed with the motion for leave, and to avoid repetitions as far as possible. The petitioner requests that the above motion be treated as a part of this second petition for a rehearing as though set out in full herein; and for the same reason petitioner requests that her first petition for a rehearing be treated as a part hereof as giving the basic reasons for the granting of the petition for Certiorari.

1. February 9, 1944, petitioner retained attorney Robert Braun, Pittsburgh, Pa., for the sum of five hundred dollars to appeal this as a civil rights case to the Superior Court of Pennsylvania. She delivered to him a transcript of testimony of hearing at trial court; taken by a Notary Public stenographer in short hand and transcribed, and an affadavit to verity of same. Also history of the case. On account of ill health, Attorney Braun retained Attorney Samuel Wagner; Berger Bldg. Pittsburgh, Pa., an Appellate lawyer and Attorney Milton Safier, Pittsburgh, Pa., to take petitioner's appeal to Pennsylvania Superior Court which was filed February

25, 1944. Certiorari was served on Trial Court March 17, 1944. Record sent up March 20, 1944. This transferred all jurisdiction to the Appellate Court. When an Appeal is perfected, all jurisdiction over the case is transferred to the Appellat Court.

> 63—*Midland Terminal Ry. Co.* v. *Warinner*, 294 Fed. 185, Ct. *Aspen Mining and Smelting Co.* v. *Billings* 150 U. S. 31, 14S. Ct. 4, 37 L. Ed. 986. "And the trial Court can make no further orders in the case. (64)."

2. July 31, 1944, more than four months after all jurisdiction had been removed from the Trial Court to the Appellate Court; petitioner claims her attorneys, Wagner and Safier, entered into a conspiracy with Judge Patterson to commit gross fraud to deprive her of her Constitutional Rights of Due Process and Equal Protection of the Law, in the making of this Supplemental Decree, page 23 of this petition, which is made up of false statements; and she claims this is trifling with the court and making its process a mockery. She claims it was done wilfully to obstruct the administration of Justice. This Supplemental Decree states: "Several witnesses for the City of Altoona testified." Not one witness for the City of Altoona testified. R. p. 32–43. It states: "No request for the testimony." Petitioner requested a copy of testimony before, and after the hearing, R. p. 28. It states: "the signs are advertisements." These signs are a public petition, to any public official in authority in America, to do the mandatory duty of their office to hold a Coroners inquest for this murdered girl, and to bring the fiend to justice who murdered her, for the safety of the public, R. p. 53–54. This Supplemental Decree states: "Your petitioner or counsel did not raise the question that she was not responsible for hanging of the signs until after all the hearing of testimony." Answer to second question: "I didn't erect the signs," R p. 33. Petitioner's attorney refused to use her evidence for her defense, or allow her to use it. She had to demand her Constitutional Rights to defend herself, R. p. 42. This Supplemental Decree is not a part of the

transcript of record as coming up from the Supreme Court of Pennsylvania; as before your court. The Superior Court of Pennsylvania bases their opinion on this Supplemental Decree, R. p. 49. This Pennsylvania Trial Court Judge destroyed the official record of the minutes of the trial, R. p. 29; then falsified the record in his Court by making this Supplemental Decree. Petitioner claims this Supplemental Decree was made to obstruct the course of Justice and this constitutes malfeasance. She also claims that these attorneys are guilty of contempt of court and malpractice. "In Perm. Ed. Words and Phrases, Vol. 26, p. 139. Judge, who corrects minutes of Court so as to reflect state of facts known to him to be false, is guilty of such misconduct in office as to constitute "Malfeasance" included in term "high crimes and misdemeanors in office" for which district judge may be impeached or removed from office under Const. 1921, Art. 9, 1, 5."

In *Miller* v. *United States*, 317 U S. 192, 601, p. 191. This court held: "Counsel in this case could, therefore, have prepared and presented to the trial judge, as was his duty, a bill of exceptions so prepared, and it would then have become the duty of the trial judge to approve it, if accurate, or, if not, to assist in making it accurately reflect the trial proceedings. We are unwilling to hold that the petitioner is foreclosed from obtaining a bill in the circumstances of this case. Petitioner repeatedly insisted that counsel procure a proper record on appeal to present the question of the sufficiency of the evidence to sustain his conviction. The petitioner did everything that lay within his power to obtain such a proper record, and we think he should not be penalized for the failure of his appointed counsel to take the necessary measures, if the power exists to afford him a hearing on the point he deems material."

In *Clark* v. *United States*, 289 U. S. 1, p. 468. This court held: "An Obstruction to the performance of judicial duty resulting from an act done in the presence of the court is * * * the characteristic upon which the power to punish for contempt must rest." "We must give heed to all the circumstances, and of these not the least important is the relation to the court of the one charge as a

contemnor. Deceit by an attorney may be punished as a contempt if the deceit is an abuse of the functions of his office."

In *Bridges* v. *State of California*, 314 U. S. 253, p. 195. This court held: "Congress proclaiming in a statute expressly captioned "An Act declaratory of the law concerning contempts of court, that the power of federal courts to inflict summary punishment for contempt" shall not be construed to extend to any cases except the misbehaviour of * * * persons in the presence of the said courts, or so near thereto as to obstruct the administration of justice * * *."

3. The Pennsylvania Superior Court, speaking through Judge Keller, went off record, basing their opinion on this Supplemental Decree, p. 23. This Supplemental Decree is gross fraud; composed of lies and signed by Judge Patterson of Blair County Court of Pennsylvania, and is on record in his court. Petitioner claims this Supplemental Decree was made to cover up said Judge's un-constitutional actions in her case and the fraud perpetrated against her by said Judge, City Solicitor Samuel Jubelirer, and attorney Frank Warfel, who she paid to defend her.

In *United States* v. *Classic*, 313 U. S. 299, p. 1032. This court held: "Misuse of power, possessed by virtue of state law and made possible only because the wrongdoer is clothed with the authority of State law, is action taken "under color of law" within statute making it a penal offense for anyone who, acting under color of law, willfully subjects or causes to be subjected any inhabitant of any state to the deprivation of any rights, privileges, or immunities secured or protected by the Federal Constitution and laws. Cr. Code Sec. 20, 18 U. S. C. A. Sec. 52."

4. About September 17, 1944, petitioner's attorney Braun told her, Judge Patterson had made a document, that was worse than what he done before, (meaning the trial) September 18, 1944, petitioner received a copy of the Supplemental Decree from the Prothonotary. Copy on p. 23. Compare this with transcript of testimony in record as before your court, R. p. 32–43.

In *ex parte Virginia*, 100 U. S. 339, p. 347. This court held: "A State acts by its legislative, its executive, or its judicial authorities. It can act in no other way. The Constitutional provisions, therefore, must mean that no agency of the State, or of the officers or agents by whom its powers are exerted, shall deny to any person within its jurisdiction the equal protection of the laws."

In *Glasser* v. *United States*, 315, U. S. 60, p. 464, 465, 467 this court held: "The guarantees of the Bill of Rights are the protecting bulwarks against the reach of arbitrary power. Among those guarantees is the right granted by the Sixth Amendment to an accused in a criminal proceeding in a Federal court "to have the Assistance of Counsel for his defence." "This is one of the safeguards * * * deemed necessary to insure fundamental human rights of life and liberty." "To preserve the protection of the Bill of Rights for hard-pressed defendants we indulge every reasonable presumption against the waiver of fundamental rights." "Upon the trial judge rests the duty of seeing that the trial is conducted with solicitude for the essential rights of the accused." "The trial court should protect the right of an accused to have the assistance of counsel." "The right to have the assistance of counsel is too fundamental and absolute to allow courts to indulge in nice calculations as to the amount of prejudice arising from its denial."

5. This Supplemental Decree is not a part of the record as before your court as coming up, full and complete, from the highest court in Pennsylvania and signed by the Prothonotary of said Court, and Judge Baldridge as same.

In *Smith* v. *State of Texas*, 311 U. S. 128, p. 165. This court held: "We must consider this record in the light of these important principles. The fact that the written words of state's laws hold out a promise that no such discrimination will be practiced is not enough. The Fourteenth Amendment requires that equal protection to all must be given—not merely promised."

In *Mitchell* v. *United States*, 313 U. S. 80, p. 878. This court held: "It is the individual, we said, who is entitled to the equal protection of the laws,—not merely a group of individuals, or a body of persons according to their numbers."

In *Smith* v. *O'Grady*, 312 U. S. 329, p. 572. This court held: "The Federal Constitution is the 'supreme law of the land,' and the obligation to guard and enforce every right secured by that constitution rests on the state courts equally with the federal courts."

In *Power Mfg. Co.* v. *Saunders*, 274 U. S. 490, p. 679. This court held: "The clause in the Fourteenth Amendment forbidding a state to deny to any person within its jurisdiction the equal protection of the laws is a pledge of the protection of equal laws."

6. Petitioner claims the highest Court of Pennsylvania was prejudice and unfair to her. How did they know of this Supplemental Decree when it was not a part of the record as before their court? Were they conspiring with the Lower Court against petitioner? No brief; petition or appearance for Appellee filed in this Pennsylvania Court. The decision of these Pennsylvania Courts show this an act of tyranny. Justice Marion Patterson of the Supreme Court of Pennsylvania is a brother of Judge George Patterson of the Trial Court.

In *Taylor* v. *State of Mississippi*, 319 U. S. 583, p. 1202. This court held: "The evidence was contradictory and conflicting but the juries resolved the conflicts against the appellants. We must, therefore, examine the questions presented on the basis of the proofs submitted by the State."

In *Hormel* v. *Helvering*, 312 U. S. 552, p. 721. This court held: "Rules of practice and procedure are devised to promote the ends of justice, not to defeat them."

In *Fowler* v. *Lindsey*, I. L. Ed. U. S., 414. This court held: "But it is the duty of judges to declare, and not make, the law."

In *Galloway* v. *United States*, 319 U. S. 372, p. 1086. This court held: "If the intention is to claim generally that the Amendment deprives the federal courts of power to direct a verdict for insufficiency of evidence, the short answer is the contention has been foreclosed by repeated decisions made here consistently for nearly a century. More recently the practice has been approved explicitely in the promulgation of Federal Rules of Civil Procedure of Rule 50; *Berry* v. *United States*, 312 U. S. 450, 61 S.Ct.

637, 85 L.Ed. 945. The objection therefore comes too late."

In *United States* v. *Abilene & S. Ry. Co.*, 265 U. S. 274, p. 569. This court held: "Nothing can be treated as evidence which is not introduced as such."

In *Mammoth Oil Co.* v. *United States*, 275 U. S. 13, p. 1. This court held: "Failure to produce testimoney, though not supplying facts not supported by substantive evidence, justifies inference of inability to combat facts or circumstances."

In *Smith* v. *States of Texas*, 311 U. S. 128, p. 165. This court held: "We must consider this record in the light of these important principles. The fact that the written words of a state's law hold out a promise that no such discrimination will be practiced is not enough. The Fourteenth Amendment requires that equal protection to all must be given —not merely promised."

7. The Pennsylvania Court erred as the transcript of record as before your court shows, R. p. 32. No information, warrant or commitment. Petitioner was never arraigned; never asked if she pleaded guilty or not guilty; never indicted and went to trial without her attorney challenging the sufficiency of the indictment; or the jurisdiction of the court to hear and determine the case. No man who made the information, or witnesses appeared against her. Nothing to show that a crime had been committed; or what the crime was. Petitioner was ignorant of legal procedure; had never been before a court in her life before. She retained and paid her attorney to defend her, because he knew these things. Her attorney put her on the witness stand to defend herself and she had not been accused.

In *Glasser* v. *United States*, 315 U. S. 60, p. 467. This court held: "The right to have the assistance of counsel is too fundamental and absolute to allow courts to indulge in nice calculations as to the amount of prejudice arising from its denial."

In *Hagner* v. *United States*, 285 U. S. 427, p. 418. This court held: "Test of sufficiency of indictment is whether indictment contains elements of offense intended to be charged and sufficiently apprises defendant of what he must be prepared to meet, and whether record shows accurately to what extent de-

fendant may plead former acquittal or conviction in future proceedings (18 U.S.C.A. Sec. 556).

8. The record as before your court shows only evidence for the defense of petitioner. No witnesses, and no evidence against petitioner. R. p. 32-43.

In *Snyder* v. *Commonwealth of Massachusetts*, 291 U. S. 97, p. 332. This court held: "Thus, the privilege to confront one's accusers and cross-examine them face to face is assured to a defendant by the Sixth Amendment in prosecutions in the federal courts."

In *Carter* v. *McClaughry*, 183 U. S. 374, p. 374. This court held: "That there was no evidence delivered before the court martial which tendered to show that any crime whatever had been committed by said Carter; but, on the contrary, all the evidence taken together affirmatively showed that Carter was wholly innocent of wrong-doing; "and that in imposing the sentence above set out said court martial acted beyond its jurisdiction, and said sentence was and is wholly void."

In *Herndon* v. *Lowry*, 301 U. S. 242. This court held: "The statute in that case as construed and appealed, was repugnant to the Fourteenth Amendment in that it furnished no sufficiently ascertainable standard of guilt."

In *Smith* v. *O'Grady*, 312 U. S. 329, p. 572. This court held: "The Federal Constitution is the "supreme law of the land," and the obligation to guard and enforce every right secured by that constitution rests on the state courts equally with the federal courts."

In *Tot* v. *United States*, 319 U. S. 463, p. 1244. This court held: "An "indictment" charges the defendant with action or failure to act contrary to the law's command, but it does not constitute "proof" of the commission of the offense. Proof of some sort on the part of the prosecutor is requisite to a finding of guilt."

In *Murdock* v. *Memphis* (Tenn. 1874) 20 Wall 590, 22 L.Ed., 432. This court held: "A right guaranteed by the federal authority having been denied and disregarded by the State Court, if the federal judiciary should not take the cause in its own hands to enforce that right, the laws of the United States would be a dead letter. And while, in proceeding to

enforce such rights, this court must necessarily decide the questions of state laws."

9. Petitioner was two years fighting to get this case from a city jail to the United States Supreme Court, thus robbing her of a speedy trial. And the record before your Court shows that petitioners only adversary was the attorneys she paid to defend her, the Judges and Prothonotarys; whose duty it is to see that trials are fair, impartial and unprejudice.

In *Johnson* v. *United States*, 318 U. S. 189, p. 555. This court held: "It is true that we may of our own motion notice errors to which no exception has been taken if they would "seriously affect the fairness, integrity, or public reputation of judicial proceedings."

In *Lisenba* v. *People of State of California*, 314 U. S. 219, p. 290. This court held: "As applied to a criminal trial, denial of due process is the failure to observe that fundamental fairness essential to the very concept of justice. In order to declare a denial of it we must find that the absence of that fairness fatally infected the trial; the acts complained of must be of such quality as necessarily prevent a fair trial."

10. May 24, 1945, petitioner retained attorney Robert McNeill, Bowen Building, Washington, D. C.; for the sum of One Thousand Dollars, to take an appeal as Civil Rights to this Court. She paid him Five Hundred Dollars as a retainer,. She delivered to him the certified transcript of record from the Supreme Court of Pennsylvania; the certified record of the Trial Court of Pennsylvania; and the certified copy of the police docket, herein printed. On or about June 7, 1945, attorney Blanstine, who was associsated with attorney Robert McNeill, at attorney McNeill's direction, separated the Supreme Court record, and inserted part of the Trial Court record, including the Supplemental Decree, and other papers. Petitioner knew these certified records should not be tampered with. Thus the telegrams and letters to the Clerk of this Court. Petitioner requests the clerk to produce these telegrams and letters for the

informaion of the Court. Attorney McNeill took this record that he had tampered with to the Clerk of this Court to be printed. Petitioner became alarmed about the mixing of the records. She inquired and learned that, no record could be used before this Court, except the one that was before the highest Court of the State. Petitioner called at the clerks office, and asked him not to print the record as attorney McNeill had delivered it, with the mixed records. The clerk said he could not print it in the shape it was in. The record was placed in its original form and printed and delivered to attorney McNeills office, July 3, 1945. Petitioner gave attorney McNeill Three Hundred Dollars for the printing of this record. On July 3, 1945 he had no finished brief or petition to show petitioner; and she felt she could not trust him further. She requested him to withdraw his appearance. He wrote petitioner he would not withdraw his appearance until she gave him the remaining Five Hundred Dollars. Petitioners transcript of record as before this court does not contain attorney Robert McNeills signature, or is his appearance entered at this Court. Petitioner paid attorney Robert McNeill One Thousand Dollars fee, and Three Hundred for the printing. Petitioner claims attorney McNeill is guilty of contempt of Court and malpractice, which deprived her of the assistance of counsel in her defense in his attempt to obstruct justice, all of which is repugnant to the Constitution of the United States. Thirteen Hundred Dollars seemed a lot of money to petitioner, after four years of constant effort, and at great expense, to clear petitioners niece's name of suicide, and bring this fiend to justice to protect other young girls. Petitioner and her family will never cease in their effort to get their murdered niece her "day in court," as well as petitioners, if our Government continues to refuse equal protection of our laws. Must every citizen of the United States know as much law as an attorney in order to claim their Constitutional Rights?

In *Bridges* v. *State of California*, 314 U. S. 252, p. 195. This court held: "Congress proclaiming in a statute expressly captioned, "An act declaratory of

the law concerning contemps of court, that the power of federal courts to inflict summary punishment for contempt "shall not be construed to extend to any cases except the misbehaviour of * * * persons in the presence of the said courts, or so near thereto as to obstruct the administration of justice * * *."

In *Clark* v. *United States*, 289 U. S. 1, p. 468. This court held: "Deceit by an attorney may be punished as a contempt if the deceit is an abuse of the functions of his office."

In *Buchalter* v. *People of State of New York*, 319 U. S. 427, p. 1129. This court held: "The "due process of law" clause of Fourteenth Amendment requires that action by state through any of its agencies must be consistent with fundamental principles of liberty and justice which lie at the base of our civil and political institutions, which not infrequently are designated as the "law of the land." U.S.C.A. Const. Amend. 14. Where fundamental principles of liberty and justice have been disregarded in criminal trial in state court, United States Supreme Court does not hesitate to exercise its jurisdiction to enforce guaranty of the Fourteenth Amendment. U.S.C.A. Const. Amend. 14."

In *ex parte Virginia*, 100 U. S. 339, p. 347. This court held: "A State acts by its legislative, its executive, or its judicial authorities. It can act in no other way. The constitutional provision, therefore, must mean that no agency of the State, or of the officers or agents by whom its powers are exerted, shall deny to any person within its jurisdiction the equal protection of the laws. Whoever, by virtue of public position under a State government deprives another of property, life, or liberty, without due process of law, or denies or takes away the equal protection of the laws, violates the constitutional inhibition; and as he acts in the name and for the State, and is clothed with the State's power, his act is that of the State. This must be so, or the constitutional prohibition has no meaning. Then the State has clothed one of its agents with power to annul or to evade it. But the constitutional amendment was ordained for a purpose. It was to secure equal rights to all persons, and to insure to all persons the enjoyment of such rights, power was given to Congress to enforce its provision by appropriate legislation. Such legislation must act upon persons, not upon the abstract thing denominated a State, but upon the persons who are agents of the State, in the denial of

rights which were intended to be secured. Such is the act of March 1, 1875, and we think it was fully authorized by the Constitution." p. 348. "We do not perceive how holding an office under a State, and claiming to act for the State, can relieve the holder from obligation to obey the Constitution of the United States, or take away the power of Congress to punish his disobedience."

In *Murdock* v. *Memphis*, 20 Wall 590, 642. This court held: "But in construing the constitution in the light of the Act of 1789, we must take the whole Act into consideration, and especially the whole of the 25th Section, and by that we find that, it perports to give jurisdiction of any case in which a claim of federal right has been denied; yet, the whole Section taken together, gives jurisdiction to decide the whole case only when a claim of federal right has been wrongfully denied."

In *Nectow* v. *City of Cambridge*, 277 U. S. 183, p. 448. This court held: "The governmental power to interfere by zoning regulations with the general rights of the land owner by restricting the character of his use, is not unlimited, and, other questions aside, such restriction cannot be imposed if it does not bear a substantial relation to the public health, safety, morals, or general welfare."

Petitioner respectfully urge that this Court use its power to reprimand these Pennsylvania State Courts for their rule by tyranny, instead of law; and thus protect the Constitution of the United States.

Respecfully submitted,

EDITH NYCUM, *Petitioner*
1210-13th Avenue,
Altoona, Pennsylvania

CERTIFICATE OF PETITIONER

Hereby certify that she means no disrespect to this Court nor any member thereof. She is sincere in the belief that a serious and grave error has been committed, and she further certifies that in her opinion this second petition for rehearing is filed, not for delay but that Justice may be done.

EDITH NYCUM, *Petitioner.*

SUPPLEMENTAL DECREE

Now, July 31, 1944, Messers. Wagner and Safier, of Pittsburgh present counsel for Edith Nycum, referring to the record in the above stated case, stated that it did not show the disposition of the rule granted upon the petition of the above named defendant for allowance of an appeal from the sentence of the committing magistrate in the City of Altoona. Upon receiving this information the Court advised counsel that at the time of the hearing on the rule, during the preliminary discussion, before any testimony was heard, it was agreed that the rule be made absolute. All the parties, including the defendant personally and her counsel, Frank B. Warfel, Esq., who, as defendant's attorney, filed the petition for the rule, together with defendant's witness, and Samuel H. Jubelirer, City Solicitor, together with city witnesses, were present in court. And there being no request by any of the parties for the taking of testimony, the hearing was proceeded with informally, and the several witnesses for the City of Altoona, and the defendant personally, as well as her witnesses, all testified. Counsel then argued the case, and Mr. Warfel, representing the defendant, openly admitted that she was guilty of violating the ordinance relative to erecting signs without a permit. It further appearing that the defendant paid fines totaling Seventy-five ($75.00) Dollars, under protest, on the first prosecution, and the offense being a continuous one, a new prosecution was instituted. Before hearing on the second prosecution appeal was filed in the first case in which the fines had been paid. Pending the rule for appeal defendant had posted cash bail in the sum of Two Hundred ($200.00) Dollars, (which said cash bail was returned to the defendant by the City of Altoona January 24, 1944). After hearing the testimony and the arguments, to wit: January 21, 1944, the Court then being of the opinion that for the good of all parties concerned, the case ought to be settled and disposed of, directed the entry of a decree and orally stated the substance of the content thereof. The said decree is now a part of the record. Counsel for defendant, Messers. Wagner and Safier, Esq.s, have also called the Court's attention to the statement of the defendant that she was not the tenant in the building upon which the advertisements complained of were placed. The defendant did not raise this question in the petition. Neither did she nor her counsel in the hearing, raise the question, and it was not mentioned until after all the hearing of testimony, the argument of counsel, and the Court's oral statement

of the contents of the decree. Mr. Warfel, defendant's counsel whom she had employed to prepare her petition for appeal and try the case in the Court of Quarter Sessions, did not join in that statement.

By the Court,

GEORGE G. PATTERSON, P. J.

Filed August 5, 1944.
John B. Elliott, Pro.

From the record certified this
18th day of September, A.D. 1944

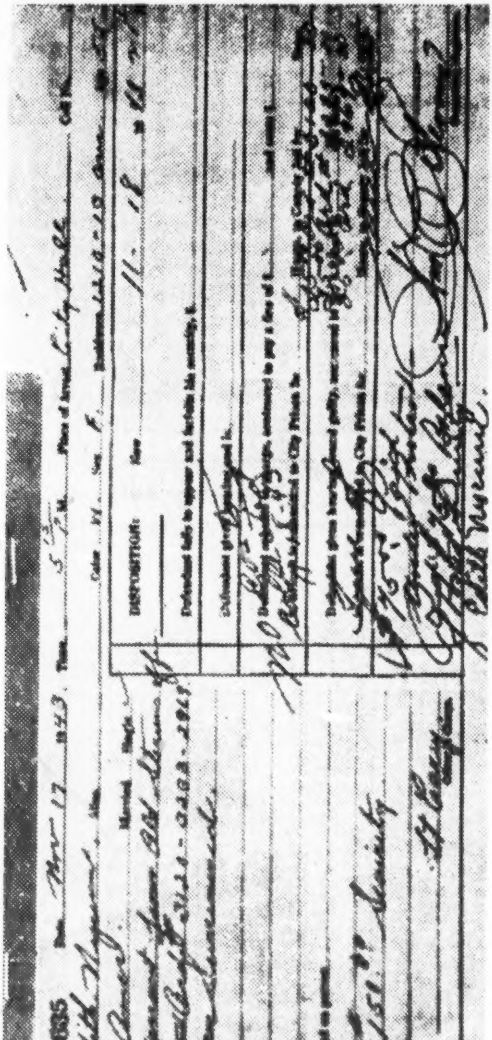
JOHN B. ELLIOTT,
Prothonotary and Clerk.

COMMONWEALTH OF PENNSYLVANIA |
COUNTY OF BLAIR, | SS:
CITY OF ALTOONA |

I, H. ATLEE BRUMBAUGH, Mayor of the City of Altoona, located in the County of Blair and the Commonwealth of Pennsylvania, do hereby certify that the foregoing is a full, true and correct photostatic copy of the whole record of the case therein stated to No. D 62635, before the same was appealed by Edith Nycum, the defendant therein named, to the Court of Quarter Sessions at Hollidaysburg, Blair County, Pennsylvania, in which appeal the Court directed that the fines imposed by the committing magistrate should be reduced to Ten ($10.00) Dollars and that in compliance with said decree the sum of Sixty-five ($65.00) Dollars was repaid to the defendant, Edith Nycum.

IN TESTIMONY WHEREOF I have hereto set my hand and affixed the seal as Mayor of the City of Altoona, this 14th day of May A. D. 1945.

H. Atlee Brumbaugh
Mayor of the City of Altoona

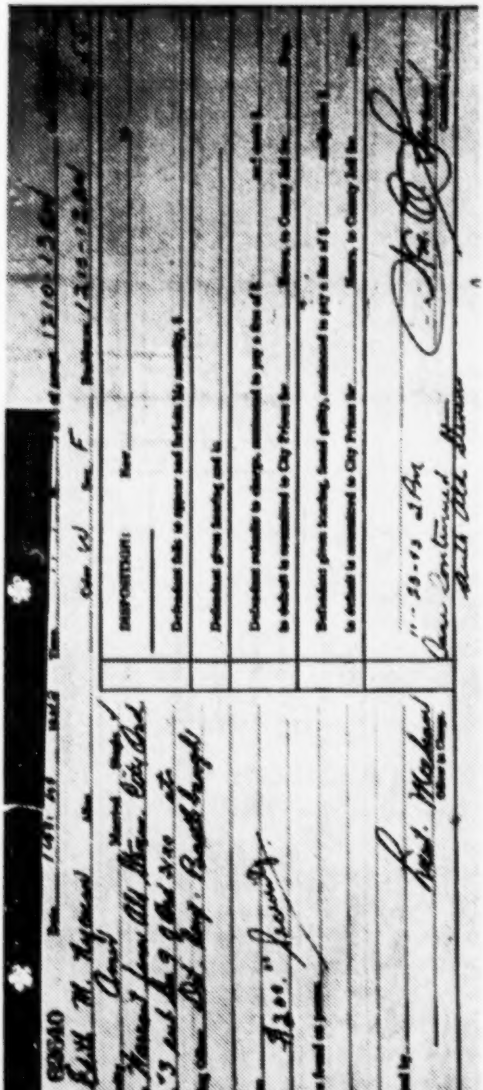

DISPOSITION:

COMMONWEALTH OF PENNSYLVANIA :
:
COUNTY OF BLAIR, : SS:
:
CITY OF ALTOONA :

I, H. ATLEE BRUMBAUGH, Mayor of the City of Altoona, located in the County of Blair and the Commonwealth of Pennsylvania, do hereby certify that the foregoing is a full, true and correct photostatic copy of the whole record of the case therein stated to No. D 62640, before the $200.00 security was paid back to Mrs. M. A. Phillips on the 24th day of January 1944, who had furnished said security

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal as Mayor of the City of Altoona, this 14th day of May A. D. 1945.

H. Atlee Brumbaugh
Mayor of the City of Altoona


No. D 62640 Date Time

Name Color W Sex F

Married Single

Charge

Arresting Officer

Witness

$200.00 Security

Articles found on person

Searched by

Officer in Charge

DISPOSITION:

Defendant fails to appear and forfeits his security, $

Defendant given hearing and is

Defendant submits to charge, sentenced to pay a fine of $ and costs $

In default is committed to City Prison for Hours, to County Jail for Days.

Defendant given hearing, found guilty, sentenced to pay a fine of $ and costs $

In default is committed to City Prison for Hours, to County Jail for Days.

11-23-43 2 PM

Case Continued

Committing Magistrate